

**ORDINANCE NO. 02  
Series 2006**

January 17, 2006: Introduced as Council Bill 01, Series 2006 by Councilmember Tisdale, seconded by Councilmember Blum, and considered by the title only on first reading. Passed unanimously.

February 7, 2006: Considered in full text on second reading. Passed unanimously.

**AN  
ORDINANCE  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
ESTABLISHING THE  
PARKS, TRAILS AND RECREATION COMMISSION**

WHEREAS, the City of Cherry Hills Village is a home rule municipal corporation organized in accordance with Article XX of the Colorado Constitution; and

WHEREAS, Section 3.1 of the City Charter authorizes the City Council to "delegate to board and commissions...such functions, powers and authority of the City as it deems proper and advisable"; and

WHEREAS, the City Council has determined that there exists a need for a commission to assist the City Council with matters concerning parks, trails, open space and recreation; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, ORDAINS:

**Section 1.** Chapter 2 of the City Code for the City of Cherry Hills Village, Colorado, is hereby amended by the addition of a new Article VIII to read in full as follows:

**ARTICLE VIII  
Parks, Trails and Recreation Commission**

**Sec. 2-8-10. Purpose.**

The Parks, Trails and Recreation Commission has been established to advise City Council on matters related to parks, trails, recreation and open space within the community. The Commission shall meet at the direction of City Council for the following specific reasons:

- (1) To make recommendations with the purpose of improving and maintaining the Village's park and open space system consistent with the provisions of Chapter 11, Article 3 of the Municipal Code;
- (2) To evaluate and make recommendations concerning the acquisition of additional trails, trail connections, pocket parks, wild life refuge areas, protected view area, open space parks and recreational parks;
- (3) To make recommendations with the purpose of protecting and maintaining the streams and water features that exist in the Village;
- (4) To review and make recommendations on the Recreation Reimbursement Program to meet the recreation needs of the community;
- (5) To make recommendations to the Planning and Zoning Commission concerning the adoption of that portion of a Master Plan concerning park and trail development;
- (6) To recommend annual budget priorities to the City Council for capital projects related to parks, trails, open space and recreation;
- (7) To develop and recommend an annual recreation and event program and budget to the City Council;
- (8) To recommend long range financing plans for open space acquisition;

The Commission shall meet in accordance with the provisions of the Municipal Code to provide recommendations to the City Council on:

- (1) To review and make comments and recommendations on preliminary plat subdivision development applications concerning the dedication of land, in accordance with Chapter 17 of this Code;
- (2) To act in accordance with any other duties as required by other provisions of the Municipal Code as enacted by the City Council from time to time.

In addition, the Parks, Trails and Recreation Commission shall have such other duties as assigned by the City Council, by motion, from time to time, except that nothing herein shall permit the Parks, Trails and Recreation Commission to assume powers expressly reserved for the City Council.

**Sec. 2-8-20. Members; appointment.**

The Parks, Trails and Recreation Commission shall consist of seven (7) members: one (1) from each Council district ("district members"); and one member of the City Council appointed

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by the City Council ("City Council appointee"); provided, however that if the Council is not reasonably able to appoint one member from each Council district the Council may appoint one or more members of the commission on an at-large basis. Each member shall have one vote.

**Sec. 2-8-30. Terms of office; organization.**

(a) **District Members:** On the date of appointment, each district member shall be a registered elector of the City for at least three (3) years immediately preceding the date of appointment. Each district member shall be a resident of the district on the date of appointment and throughout his or her term of office. Each district member shall be appointed by the City Council. The term of each district member shall be three (3) years, and the terms shall be staggered. Initial appoints shall be as follows:

- Districts 1 and 2 shall be appointed for one (1) year terms.
- Districts 3 and 4 shall be appointed for two (2) year terms.
- Districts 5 and 6 shall be appointed for three (3) year terms.

(b) **City Council Appointee:** The City Council appointee shall be appointed by the City Council for a term of two (2) years.

(c) **Terms:** Terms of office shall expire on the third Tuesday of May in each respective year.

(d) **Rules of Procedure:** The Commission shall operate in accordance with Rules of Procedure adopted by the City Council.

**Sec. 2-8-40. Meetings.**

Meetings shall be held at the direction of the City Council or in accordance with provisions of the Municipal Code. The City Council shall provide in the Commission's Rules of Procedure for the time and place of its regular meetings.

**Section 2.** Section 17-3-120(17) of the Municipal Code is hereby amended to read:


"Parks, Trails and Recreation Commission ~~Village Trail Committee (standing committee of the Council).~~"

**Section 3.** No Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The City Council declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

**Section 4.** Effective Date. This ordinance shall take effect in accordance with the City of Cherry Hills Village Home Rule Charter.

Adopted as Ordinance No. 2 Series 2006, by the City Council of the City of Cherry Hills Village, Colorado this 7<sup>th</sup> day of February, 2006.

  
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Douglas C. Scott, Mayor

APPROVED AS TO FORM:  
  
\_\_\_\_\_  
Thad Renaud, City Attorney

ATTEST:  
  
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Jennifer Pettinger, CMC, City Clerk